OBSERVATIONS

ON

Several Acts of Parliament,

PASSED

In the Fourth, Sixth and Seventh Years

OF

His Present Majesty's Reign.

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OBSERVATIONS

ON

Several Acts of Parliament, &c.

THE repreſentative body of this people having very fully and repeatedly remonſtrated againſt theſe acts, as unconſtitutional, and as infringing the rights and privileges of the ſubject, it is unneceſſary to add any thing upon that head; but we ſhall confine our remarks to ſuch parts of theſe acts as affect the trading intereſt.

By theſe acts certain rates and duties are impoſed on molaſſes, ſugars, wine, tea, glaſs, paper, and many other articles commonly imported into the Britiſh colonies in America, and ſeveral leading articles which procured remittances to Great-Britain, are now either brought into the claſs of enumerated articles, or ſubjected to the duty, riſque and expence of being landed in Great-Britain; which embarraſſments on the trade of the colonies muſt greatly diminiſh, if not wholly deſtroy, ſeveral branches of it, and ſo far leſſen the demand for Britiſh manufactures, great quantities of which are annually imported into this province (more than the amount of our exports to Great-Britain) for the payment of which we depend not only upon what is produced among ourſelves, but alſo upon what is caught out of the ſea, or is obtained by a circuity of commerce abroad. To collect this revenue the government is at a very great expence, equal at leaſt (and, including the charge of men of war and cutters to guard the coaſt, vaſtly ſuperior) to all the revenue that could be collected, had our trade been as extenſive as it

was

was before thoſe acts were made; which is not the caſe now, and never will be, while they remain in force.

One principal branch of the trade of this province is the fiſhery carried on to the Banks, in which there are upwards of three hundred veſſels employ'd, beſides a great number of boats in the Bay, and about ninety ſail in the mackarel fiſhery. The amount the fiſh theſe veſſels cure, with the pickled fiſh and liver oil, is upwards of *one hundred and ſixty thouſand pounds* ſterling per annum: about two-fifths of the Bank fiſh turns out merchantable, and is ſent to Spain, Portugal and Italy, and the nett proceeds remitted to Great-Britain; the other three-fifths, being unfit for any market in Europe, is ſent with the pickled fiſh and mackarel to the iſlands in the Weſt-Indies: And as the Engliſh iſlands do not conſume more than is made by the boats in the Bay, being about one-fifth, and one-fourth of the mackarel and pickled fiſh, the remaining two-fifths made by the Bankers, together with three quarters of the mackarel and pickled

fiſh, is carried to the French and other foreign iſlands, in return for which we receive molaſſes and ſome ordinary ſugars.—This valuable branch of our trade, the fiſhery, almoſt, if not wholly, depends on our trade to the foreign iſlands in the Weſt-Indies—As we cannot cure fiſh for the European markets ſeparate from the other ſort ſent there, and as we have no other market for what is made by the Bankers, it will be loſt if not ſent to the foreign iſlands, and this loſs muſt entirely deſtroy the whole Bank fiſhery.

Another conſiderable branch of the trade of this province is lumber of all kinds, alſo proviſions, horſes, and many other articles ſuitable for the Weſt-India markets, in which trade there are upwards of an hundred and eighty veſſels annually employed, moſt of which make two voyages in a year: Theſe veſſels call firſt at the Engliſh iſlands, and when they are ſupplied, the remainder is carried to the foreign iſlands.—A quantity of oak timber, ſtaves, and other lumber is ſent to Ireland, ſome to Madeira and the Weſtern Iſlands, to purchaſe

wines, and ſome few cargoes are ſent to Spain, Portugal and England, but none to any foreign port to the northward of Cape Finiſter.—The firſt coſt of theſe cargoes of lumber being very ſmall, the whole profits are not more than a bare freight for the veſſels; but this freight is a great encouragement to ſhip-building, which is another conſiderable branch of trade in this province, wherein there have been upwards of three hundred ſail built in a year, before the late embarraſſments were laid on the trade, ſince which this number has been reduced at leaſt two-thirds, and the tradeſmen formerly employ'd in this branch of buſineſs are now obliged to procure a livelihood in ſome manufacture, or ſtarve.—Some of theſe ſhips went directly to Europe with fiſh, oil, pot and pearl aſh, naval ſtores and lumber, but the greateſt part went to the Weſt-Indies with lumber, fiſh, and other articles of our produce, the proceeds of which, with the freights from thence to England, together with the veſſels, were remitted to Great-Britain, to pay for the goods we received from thence; and, by having timber plenty, and building ſo many

veſſels,

veſſels, we became carriers for other parts of America. Beſides the trade to the Weſt-Indies, many of our ſhips formerly went to Virginia, North and South Carolina, where they carried large quantities of rum, to purchaſe rice, tobacco and naval ſtores, and took in freight for Great-Britain, where the proceeds of the whole (and indeed of all our trade) centers.

Another conſiderable branch of our trade is that carried on to Africa, where we ſend large quantities of New-England rum, not only for our own trade, but to ſupply the traders in ſhips from Great-Britain, with whom we exchange this commodity for other European articles brought out by them ſuitable for that trade, by means of which they are enabled to carry on their trade to greater advantage than they would otherwiſe do without this neceſſary article—And as the ſlaves purchaſed there are chiefly ſold in the Weſt-Indies for bills on London, the proceeds of this trade conſequently are remitted to Great-Britain.

All theſe ſeveral branches of trade are greatly obſtructed by the duties impoſed, and the reſtrictions to which they are ſubjected by the aforementioned acts.—The duty on molaſſes, tho' reduced to one penny per gallon, which at firſt ſight may appear but ſmall, yet, as it is one tenth part of the value (when brought to market) is really large, and will be a diſcouragement to a trade which has inſinuated itſelf into, and is a great ſpring to every branch of buſineſs among us.—The fiſhery, the lumber trade and ſhip-building, are greatly promoted by the importation of molaſſes, and diſtilling it into rum, and the trade to Africa wholly depends on this article; ſo that any act which hath a tendency to obſtruct the importation of molaſſes, muſt be prejudicial to Great-Britain. —The former acts, impoſing duties on molaſſes, were intended only as a regulation of trade, and to encourage our own iſlands, and the duty was only on foreign molaſſes; but by theſe acts it is impoſed on all molaſſes, and expreſsly for the purpoſe of raiſing a revenue.

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The duty of five ſhillings per hundred on brown, and twenty-two ſhillings on white ſugars, is a great burden on our trade to the foreign iſlands: If we confine ourſelves to molaſſes, a ſufficient return'd cargo cannot always be obtained; and the aforeſaid duties upon ſugars are ſo heavy, as to render the import of them ſo unprofitable, that we cannot purſue a trade by which we diſpoſed of the ſuperfluous produce of our country.

By theſe acts we are reſtrained from exporting ſugars to a foreign market, without firſt landing them in Great-Britain, or obtaining a licence from thence to carry them directly to a foreign market.—If we go firſt to Great-Britain, and land them there, it will prove ſo expenſive, by the delay and charges of unloading and reſhipping, and alſo of a double freight and inſurance, that the trade cannot be carried on to any advantage, eſpecially in a time of war.—If we carry theſe ſugars directly to a foreign market, by licence from Great-Britain, the difficulties and embarraſſments are ſtill greater, as the veſſel in which any ſugars

are

are to be ſhipt muſt firſt go to Great-Britain, and the maſter enter into bonds there, before a licence can be procured, during which the ſugars are to remain in the King's ſtores here; and after they are delivered in a foreign port, the veſſel muſt return to Great-Britain to cancel the bonds, before ſhe can proceed on any other voyage.—Tho' the liberty granted to carry theſe ſugars directly to foreign ports by licence, might be intended as an encouragement to the trade, the regulations and reſtrictions are ſuch as will effectually defeat this very deſign: Whereas, if we were allowed to export theſe ſugars (after being ſtored here under the care of cuſtom-houſe officers) to foreign markets in our own veſſels, free of duty, it would encourage the bringing them here, and in time might become a very conſiderable branch of trade; and in particular would enable us to employ our fiſh-ſhips to better advantage, as they carry no fiſh between decks, and conſequently might be partly laden with ſugars. But under the preſent regulations, none will ever be brought here in order to be exported to a fo-

reign market in Europe, either in our own veſſels or any other.

Here it may be proper to obſerve, that ſhould we be allowed the free importation of foreign ſugars, even for own conſumption, the trade of Great-Britain would not be injured, but greatly benefitted; for in this caſe, more of the ſugars made in the Engliſh iſlands might be carried to Great-Britain, and what they did not conſume would be exported from thence to foreign markets, which would employ a greater number of ſhips, and thereby increaſe the commerce of Great-Britain, without leſſening that of the colonies—and all the ſugars we procured from the French iſlands, and carried to foreign markets in Europe, muſt neceſſarily leſſen their navigation, and increaſe that of Great-Britain.

Formerly we made conſiderable remittances to Great-Britain with ſugars, the produce of the Engliſh iſlands, which we received in return for our own produce ſold there: But by the act of the 6th of his preſent Majeſty, we find

find ſuch a diſtinction made in favour of our fellow ſubjects in the iſlands, that while they may import Britiſh plantation ſugars into Great-Britain *as ſuch*, that which is imported from North-America muſt be deemed *French*; by which means we are cut off from an article of export which hath been heretofore conſiderable, and might be ſo ſtill, were it not for this regulation.

Logwood and mahogany have been, by a circuity of trade, the means of large remittances to Great-Britain—theſe we have obtained by ſmall cargoes of proviſions produced among ourſelves, together with ſome Britiſh manufactures, by which many of our veſſels have been employ'd; but now, by being obliged to carry them firſt to England, ſuch heavy expences will be incurred, by reaſon of their bulk, and the ſmallneſs of their value, as muſt put an end to this branch of buſineſs, and conſequently the trade muſt fall into the hands of foreigners.

The reaſons given for theſe regulations, as mentioned in the act of the 6th of George the Third, were "the more effectually to "prevent enumerated goods being privately "carried from the Britiſh colonies, into fo-"reign parts of Europe, in veſſels that "clear'd out with non-enumerated goods; "and alſo to prevent the clandeſtine impor-"tation of foreign European goods into ſaid "Britiſh colonies." Upon the firſt of theſe reaſons we would obſerve, that the great care and vigilance of the cuſtom-houſe officers here might anſwer the purpoſe, and effectually prevent any ſuch enumerated goods from being exported to foreign parts.—With reſpect to the ſecond, it is difficult to conceive how the obliging a veſſel to ſtop at England, upon an outward-bound voyage, can have any influence in preventing the importation of illicit goods upon her return, eſpecially when ſufficient care was before taken to prevent ſuch illicit importation, by obliging all veſſels that have any foreign goods on board, to ſtop at Great-Britain on their return.

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Another great embarraſſment to the trade of the colonies, is the multiplicity of bonds required by the aforeſaid acts of his preſent Majeſty, in addition to the bond for enumerated goods, required by an act made in the 12th year of the reign of Charles the Second, the condition of which bond is, That ſuch enumerated goods ſhall be landed either in Great-Britain, or ſome part of his Majeſty's dominions: And by an act of the 4th of George the Third, coffee, piemento, cocoa, hides, ſkins, pot and pearl aſh, and ſeveral other articles, are added to the liſt of enumerated goods—beſides which, no maſter of a veſſel is allowed to take in any non-enumerated goods, without firſt giving another bond, with one ſurety, the condition of which is, That none of ſaid non-enumerated goods ſhall be landed in any port of Europe to the northward of Cape Finiſterre, except in Great-Britain; by which we are excluded from carrying even non-enumerated goods to Ireland, without firſt calling at ſome port in Great-Britain. If any iron, or lumber, are laden on board any veſſel, the maſter muſt

give

give a third bond, on the ſame condition as that required for non-enumerated goods; and in caſe any rum is laden on board, a fourth bond is required, the condition of which is, That ſuch Rum ſhall not be landed in the Iſle of Man.

Theſe bonds the officers of the cuſtoms, in this port, require for all veſſels loading any of theſe articles, not only for ſuch as are going to Europe, the Weſt-Indies, and other colonies on the continent, but even for coaſters going from one town to another in the ſame province, and ſometimes for veſſels under twenty tons, going to another town within the diſtrict of the ſame cuſtom-houſe where the bonds are given; ſo that no lumber can be brought from the place of its growth, in the eaſtern parts of this province, to this, or any other market, for exportation, until ſuch bond is given, though no cuſtom-houſe officer reſide within forty or fifty, and ſometimes one hundred miles of the place where the coaſter takes in his lumber: This is a very great embarraſſment to the trade of

this

this province, in which there are a great number of veſſels employ'd in the coaſting buſineſs, and upwards of one thouſand ſail are annually enter'd and cleared at the ſeveral offices. This reſtriction appears the more unaccountable, as it is not known that one ſingle veſſel ever carried a cargo of lumber to any foreign port to the northward of Cape Finiſterre. Had ſuch a trade formerly been carried on, the coaſting veſſels are not capable of proſecuting ſuch a voyage, and the charge of theſe bonds, and certificates to cancel them, amount annually to a very large ſum.——Beſides theſe ſeveral bonds, every maſter of a veſſel, even a coaſter, is obliged to take out a ſufferance and cocket for every article laden on board; and in caſe he takes in any goods for which bond is required, he muſt have a certificate from the collector, of his having given bond for thoſe articles; and in caſe he neglects taking ſuch certificate, not only the goods for which bonds are required, but even the veſſel and the reſt of the cargo, are forfeited. This has been ſeverely felt by ſome Traders here, who have loſt both veſſel

and cargo, to a very conſiderable value, only for want of ſuch certificate, tho' the cocket for thoſe goods mentioned that bonds were taken; but the certificate was either miſlaid, or never delivered by the collector.—The ſureties in theſe bonds are likewiſe greatly expoſed, ſhould the maſter neglect to ſend a certificate of the landing the goods for which he has given bonds, or ſhould the collector refuſe or diſapprove of the certificate he may ſend, as being improper (tho' there ſhould be no reaſon to ſuſpect the goods were carried to any port they were excluded from) the ſureties may be proſecuted in the court of admiralty, and obliged to pay conſiderable coſts at leaſt, if not the whole penalty, as has heretofore been experienced in that court, and is ſuch an inſupportable burden on trade, as will prevent many from engaging in it.

Before a cocket can be taken out for any goods, and ſome even of Britiſh manufacture, oath muſt be made, when, by whom, and in what veſſel, the article intended to be exported

ported was imported: This, in many caſes, is impoſſible, and will prevent ſome towns from being ſupply'd with ſuch goods as they want, and induce others to ſet up manufactures of their own, and thereby leſſen the conſumption of Britiſh manufactures in the colonies, which muſt be ſeverely felt by the manufacturers in Great-Britain.

Another great diſcouragement to the trade of America, is the unlimited power given to officers of the cuſtoms.—The act paſſed in the 4th year of George the Third ordains, That in caſe any information ſhall be commenced and brought to tryal in America, on account of the ſeizure of any ſhip or goods as forfeited, wherein a verdict ſhall be given for the claimer, the defendant, if the judge certifies that there was a probable cauſe of ſeizure, ſhall not be intitled to any coſts of ſuit whatſoever——and further, in caſe an action ſhall be brought againſt any officer, for ſeizing any ſhip or goods, where no information ſhall be commenced, or brought to tryal to condemn the ſame, and a verdict

ſhall be given againſt the defendant, the plainliff, beſides his ſhip or goods ſo ſeized, or the value thereof, ſhall not be entitled to above two-pence damages, nor to any coſt of ſuit: But if the plaintiff ſhall be non-ſuited, or diſcontinue his action, or if judgment ſhall be given, upon any verdict or demurrer, againſt the plaintiff, the defendant ſhall recover triple coſts. By theſe clauſes in this act, and the power and extention of the courts of *Vice-Admiralty*, the whole trade of America lies at the mercy of the officers of the cuſtoms and judge of ſaid court, the former being impower'd to ſeize the ſhips or goods of the American merchants at their pleaſure; and though they never proſecute the ſame, or act ever ſo arbitrarily or unjuſtly, the merchant has no remedy, the officer not being ſubject to any damage, or even to coſt of ſuit, while the diſtreſſed claimant, tho' ever ſo much injured, if he ſhould be non-ſuited, or diſcontinue his action, muſt pay triple coſts: And as the governor, as well as the officers of the cuſtoms and judge of the admiralty,

are interested in those seizures, it is natural to conclude they will always encourage and promote the same; and many instances may be produced, where both vessel and goods have been condemned as forfeited, only for a small mistake or neglect of the master, and the industrious trader thereby ruined; which severities are not exercised towards our fellow-subjects in Great Britain.

Since the appointment of a board of commissioners to reside in America, the restrictions and embarrassments on the trade have been greatly increased, by the attendance and delay in entering and clearing of vessels at the collector's office, where some masters have been obliged to wait two or three days, before they could obtain an entry or permit to unload: The many oaths and certificates required, before any vessel can be cleared out, have occasioned the same delay to our outward-bound vessels.

Another difficulty attending the entry of vessels, particularly from the West-Indies, is

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the maſter's being required to make an exact report of their cargoes on their firſt arrival (even at any out-ports they may put into by contrary winds) and denying them liberty to make a poſt-entry.——In Great-Britain, the maſters are allow'd to make reports from day to day, as they find any goods omitted; but this *juſtice* is denied the Americans, and the board of commiſſioners have publicly advertiſed, That no allowance, for the future, ſhall be made for miſtakes or omiſſions in the firſt report, even for adventures belonging to the ſeamen. This is an hardſhip, or rather a cruelty, as the ſeamen frequently get aboard more than the maſters are acquainted with, and as the maſters purchaſe their molaſſes on ſhore in tierces, and ſhift it into other caſks of their own when brought on board the veſſel, and are often filling up thoſe caſks, it is ſometimes difficult for them exactly to aſcertain the number and contents of the caſks they have filled.——The fees taken at the collector's office, particularly for coaſters, and obliging them to enter and clear in the ſame manner as veſſels bound on foreign

voyages,

voyages, and to give bonds for every trifling article they carry for private families, even for a few pounds of tea or ſugar, or a few gallons of rum or molaſſes purchaſed of retailers, for which they muſt produce certificates, on oath, in what veſſel theſe trifles were imported, and by whom the duties were paid, which is often impoſſible, are ſuch embarraſſments on this branch of buſineſs, as, if continued, it muſt entirely deſtroy it.—Formerly the coaſters were not required to take cockets for every trifling article, and the fees, both entering and clearing, was only *one ſhilling* ſterling, whereas the expence now is from *ten ſhillings* to *ſixteen ſhillings*, which is more ready money than they ſometimes receive for their whole freight; and as they frequently take in only a few articles, the charge of clearing thoſe articles at the cuſtom-houſe is more than the freight.——The appointment of an almoſt incredible number of inferior officers, as tideſmen, boatmen, waiters and others, and requiring the maſter to receive and lodge them under deck (without any authority to ſupport it) is another cauſe of complaint—Some of

thoſe

thoſe wretches are perſons of ſuch infamous characters, that the merchants cannot poſſibly think their intereſt ſafe under their care. —The liberty theſe fellows take, of ſearching veſſels before they are diſcharged, and ſometimes before the maſter's have reported at the cuſtom-houſe, is not only illegal, but *impudent*, and contrary to the practice in Great-Britain, where the officers never ſearch the hold of any veſſel till the maſter ſays ſhe is diſcharged, and deſires the waiter to certify the ſame to the cuſtom-houſe. Another intolerable grievance is the appointment of officers of the cuſtoms on board the men of war, cutters, and other armed veſſels; the arbitrary, unlawful and wanton manner in which they have exerciſed this authority in this province, is unprecedented in any other part of the Britiſh dominions.

Some of theſe officers, by force of arms, have enter'd veſſels on the high ſeas, and in the harbours, inſolently demanded of the maſters their papers, broke open their hatches, and ſearch'd the hold with lighted candles; even

even ſhips from London, with hemp and powder on board, have been treated in this manner, and both the lives and properties of his Majeſty's loyal ſubjects thereby greatly endanger'd.—Some veſſels coming into this harbour, before the maſters could reach the cuſtom-houſe to make report, have been boarded by armed boats from the Romney, commanded by Captain Corner: One veſſel, from the Weſt-Indies, had her hatches open'd, and twenty hogſheads of molaſſes hoiſted upon deck, to ſearch the hold: Another veſſel, with lumber, was carried along-ſide the Romney, her hold unſtowed, and the boards taken on board the king's ſhip, before the maſter was permitted to go to the cuſtom-houſe to report: A veſſel from Liſbon, bound to Marblehead, was boarded on the high ſeas by Mr. Panton, lieutenant of the Roſe (who was likewiſe an officer of the cuſtoms) with a deſign to impreſs the ſeamen, who concealed themſelves in the hold; upon which Mr. Panton aſſumed the cuſtom-houſe officer, and pretended

that

that he was going to ſearch the veſſel for uncuſtomed goods, and, under this pretence, enter'd the hold, and endeavour'd to impreſs the ſeamen, who ſtood upon their defence, and told the officer, upon his peril, not to enter the fore-hold; upon which they were fired upon, and one of the ſeamen was ſhot thro' his arm, and another wounded: This brought on an engagement, in which the lieutenant was killed, and the veſſel brought out of her way, to Boſton, by the man of war.— Several other veſſels have been ſeized in the Bay, at the Vineyard, and other ports, (where they have been obliged, by contrary winds, to make a harbour) ſent into ports they were not bound for, and there detain'd at a great expence, on the trifling pretence that ſome article (not on cargo, but belonging to the mariners) was found on board, not ſpecified in the cockets.

Upwards of twenty ſail of men of war, cutters, and other armed veſſels, purchaſed by the board of Commiſſioners, have been

employed

employed this year to cruize on the trade of this province, without diſcovering one veſſel in an illicit trade, tho' their expectations were raiſed in hopes of plunder, by the unjuſt and cruel miſrepreſentations made by wicked and deſigning men. Some of the commanders of the king's ſhips purchaſed ſmall veſſels on their own accounts, and ſent them into the little harbours and coves, where the men of war could not cruiſe; and ſome of theſe have been diſguiſed as coaſters, and every other method has been uſed, to detect a ſuppoſed contraband trade; even the maſter of a little cutter purchaſed a fiſhing boat, on his own account, for the ſame purpoſe: But being diſappointed of the advantages which were expected to be reaped from the condemnation of illicit traders, or the prizes (as they call'd them) they have been induced to take advantage of the miſtakes and omiſſions of the maſters of coaſting veſſels, ſeveral of whom have been ſeized by thoſe guarda coſtas, and two actually condemned for ſome trifles found on

board, without being in the clearance.—They have indeed ſeized twenty-three other veſſels, upon ſome trifling pretences, all of which have been diſmiſs'd, after being detain'd ſome time, at a conſiderable expence.—The fiſhery has likewiſe been greatly diſtreſſed by the guarda coſtas.—Many of our fiſhermen cure their fiſh at Canſo, and other places in Nova-Scotia, at a great diſtance from any cuſtom-houſe, and when the fiſhing ſeaſon is over, they take in the fiſh they have cured on ſhore, and return home: This has been the practice ever ſince the fiſhery was carried on, till the paſſing of the late acts, and the appointment of officers of the cuſtoms on board the King's veſſels, ſince which many of the fiſhing veſſels have been ſeiz'd by theſe avaricious officers, and condemn'd in the court of admiralty, for taking in their dry fiſh without firſt having a permit from the cnſtom-houſe, and giving the bond required for non-enumerated goods; and the ſkippers of thoſe veſſels are now obliged to make two trips to Haliſax or

Louiſbourg, firſt to give bond and take a permit to load, and when they have taken in their fiſh, to procure a clearance to ſcreen their veſſels and fiſh from the jaws of theſe devouring monſters.

The Commiſſioners themſelves (tho' by act of parliament they are not intituled to any ſhare of the forfeitures) appear, by the whole tenor of their conduct, to have been more intent upon making ſeizures, than upon promoting the revenue; nor have they ſhewn the leaſt diſpoſition to ſerve the trade, but have taken every method in their power to embarraſs it, by their directions to the collectors and other officers of the cuſtoms *, and by their employing perſons of the moſt abandoned characters

 under

* On the 27th of October 1768, John Hancock, Eſq; Mr. Lewis Gray, Capt. Daniel Malcom, Capt. John Matchet, and others, were libell'd for £. 9000 ſterling each, and held to bail in £. 3000 ſterling each, to appear at the court of Vice-Admiralty, on ſuſpicion of their aiding and aſſiſting at the landing a few pipes of wine, imported in the ſloop Liberty, from Madeira, more than

under them, ſome of whom have acted in open violation of the laws; and one in particular,

than were reported at the cuſtom-houſe. The libel againſt Mr. Hancock came on the 7th of November, when a vaſt number of witneſſes were examined upon interrogatories in the tedious method of the civil law, and no proof appearing againſt him, the court was adjourn'd to the next week, and a new ſet of witneſſes were produced and examined in the ſame manner, and to as little purpoſe; after which the court was ſeveral times adjourn'd, and other witneſſes ſummoned, even Mr. Hancock's moſt intimate friends and acquaintance, ſo that a great part of the winter was taken up in attending on the court of admiralty, and examining thoſe witneſſes; and after every method had been tried, and no proof could be procured againſt him, in the ſpring 1769, on the publication of the new judge of admiralty's commiſſion, Mr. Hancock was diſcharg'd from this vexatious and unprecedented libel.

The libels againſt Mr. Gray, and others, on the ſame account, were diſmiſs'd at the ſame time, without examining any witneſſes in the caſe.

About the ſame time Capt. Malcom, Capt. Dorrington, and *others*, were libell'd for £. 2400 ſterling each, and held to bail in £. 800 ſterling, on ſuſpicion of their aſſiſting at the landing a few pipes of wine, ſuppos'd to be imported in the ſchooner Friendſhip, from the Weſtern Iſlands; and as no evidences could be produced

particular, without the leaſt provocation, fired upon the inhabitants, and by force of arms reſcued a priſoner, taken by the King's writ, from the hand of juſtice.

The merchants and traders in the northern colonies, and more particularly in this province, have been greatly abuſed by the repreſentations that have been made to Great-Britain, of their importing large quantities of the manufactures of France, Holland, Hambro' and other parts of Europe, in a clandeſtine manner, which are falſe and malicious: The merchants in this province carry on no trade with any part of France, except to their iſlands in the Weſt-Indies; and no inſtance can be produced

produced to ſupport the charge in theſe libels, they were all diſmiſſed at the ſame time Mr. Hancock's was.

Other inſtances of the ſame kind of proceedings might be produc'd, but theſe will be ſufficient to ſhew in what a cruel and vexatious manner the inhabitants of this province are treated by the Board of Commiſſioners.

duced of any quantity of manufactures being brought from thence. The goods imported from Holland and Hambro' are all enter'd in England, and the duties, to a conſiderable amount, annually are paid there.—When the duty upon molaſſes was ſixpence ſterling a gallon, as there was no appropriation made of that duty, it was well known in England the officers of the cuſtoms connived at the importation, and their conduct was not diſapproved: How far this will juſtify ſuch repreſentations, is ſubmitted to the impartial public—but ſince the duty on molaſſes has been reduced, the whole, tho' grievous, has been regularly paid.

The merchants do not deſire liberty to import any kind of goods that are prejudicial to the manufactures of Great-Britain, nor have they ever yet complain'd of their trade being confin'd to Great-Britain for ſuch goods as are manufactured there, ſo long as they might be imported duty free.

What

What the Coloniſts have a right to expect and hope for, is a repeal of all the acts impoſing duties on any kind of goods imported into the Britiſh colonies for the purpoſe of raiſing a revenue in America, as being inconſiſtent with their rights as free ſubjects—the removal of every unneceſſary burden upon trade, and that it be reſtor'd to the ſame footing it was upon before the act of the 6th of George the Second, commonly call'd the ſugar-act—— particularly,

That molaſſes, ſo neceſſary to promote every branch of trade, and likewiſe ſugars, be admitted free of duty.

That the importation of wines from Madeira and the Azores may be permitted, agreeable to the act of the 15th of Charles the Second.

And as the free importation of fruit, wine and oil, direct from Spain and Portugal, would be a great encouragement of the fiſhery, and will no ways interfere with

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the manufactures of Great-Britain, and the obliging all veſſels with thoſe articles on board to call at ſome port in Great-Britain, being attended with great expence and delay; and as the acid of lemons and oranges is become almoſt neceſſary for the health and comfort of the inhabitants of North-America, and theſe fruits not being able to endure repeated tranſportation, it is hoped the direct importation of wine, oil, and fruit of all kinds, may alſo be permitted.

The taking off the duties on tea, paper, glaſs and colours, will not relieve the trade of the burdens it labours under—But ſhould all the revenue acts be repealed, and the trade relieved from all unneceſſary reſtrictions, and reſtor'd to the footing it was upon before the act of the 6th of George the Second, and the indulgencies now mentioned be granted, it would have a happy tendency to unite Great-Britain and her colonies on a laſting foundation—all clandeſtine trade would then ceaſe—the great

expence

expence of men of war, cutters, of the commiſſioners, and other cuſtom-houſe officers lately appointed to ſecure the revenue, might be ſaved—The trade, navigation and fiſhery would not only be revived, but greatly extended; and, in that caſe, the growth of theſe colonies would be very rapid, and conſequently the demand for Britiſh manufactures proportionably increaſed.

The foregoing obſervations relate wholly to the revenue acts, and the conduct of the cuſtom-houſe officers; but we cannot conclude without mentioning the great expence and needleſs trouble accruing to the trade by means of the *Naval Office*.

Since the eſtabliſhment of cuſtom-houſes, and the appointment of cuſtom-houſe officers, this office is altogether unneceſſary, and anſwers no valuable purpoſe.

Upon this head it is proper to obſerve, that ſoon after the ſettlement of theſe colo-

nies, the parliament thought it neceſſary to take ſome meaſures for the regulation of the plantation trade. The act of the 12th of Charles the Second, for encouraging and increaſing ſhipping and navigation, ordains what qualifications ſhall be neceſſary for veſſels trading to the colonies, and enjoins *the Governor, or perſons by him appointed*, to inſpect and take care that the ſame be obſerved, and to take bonds for all veſſels lading any of the commodities in ſaid act enumerated.

Three years after, by the act of the 15th of the ſame reign, further regulations and reſtrictions were made, and every perſon or perſons importing goods into the colonies obliged to deliver to *the Governor of ſuch colony, or to ſuch perſon or officer as ſhall be by him thereunto authorized or appointed*, a true inventory of all ſuch goods, &c. At this time, and until ten years after, no duties were laid, by act of parliament, upon any commodities in the plantations, and of conſequence no cuſtom-houſes had been

erected, or collectors or other cuſtom-houſe officers appointed or thought of in the colonies, but the whole care and inſpection of trade remained with *the Governor, or the perſon he appointed Naval-Officer.* —Afterwards, by the act of the 25th of the ſame reign, chap. 7. ſect. 3. duties being laid on ſugars and ſundry other articles, to be paid in the plantations, when carried from one plantation to another, the ſeveral duties ſo impoſed were to be levied and paid to ſuch collector or other officer, in ſaid plantations, as ſhould thereafter be appointed by the commiſſioners of the cuſtoms in England; who did accordingly appoint collectors, and ſuch other officers as occaſion required, for that purpoſe, who ever ſince their appointment, it is well known, have had the chief care and inſpection of the trade.

From this account of the matter, it appears that, as formerly there were no cuſtom-houſes or cuſtom-houſe officers in America, the government thought proper to devolve the care and inſpection of the

trade

trade upon the *Governor of each colony, or ſuch perſons as they ſhould appoint under them for that purpoſe, who have been called Naval Officers*; that, upon the eſtabliſhment of cuſtom-houſes and cuſtom-houſe officers, the eſtabliſhment of a naval-office, or the appointment of naval-officers, was rendered altogether needleſs. The original deſign of government, in the eſtabliſhment or appointment of either, was, that the trade might be duly taken care of and inſpected, that frauds might be prevented, and that abuſes in trade might be regulated: All theſe purpoſes may be, and are, effectually anſwered by the appointment of collectors and other officers of the cuſtoms; therefore the naval-office is altogether uſeleſs. As it is a grievous burthen, and tends greatly to retard buſineſs, and is a needleſs expence, without any benefit to the government, or anſwering any one valuable purpoſe, we have juſt grounds of complaint, and cannot but hope this office will be diſpenſed with.

Upon the whole, the trade of America is really the trade of Great-Britain herſelf; the profits

profits thereof center there: It is one grand ſource from whence money ſo plentifully flows into the hands of the ſeveral manufacturers, and from thence into the coffers of landholders throughout the whole kingdom: It is, in ſhort, the ſtrongeſt chain of connection between Britain and the colonies, and the principal means whereby thoſe ſources of wealth and power have been, and are, ſo uſeful and advantageous to her. The embarraſſments, difficulties, and inſupportable burdens under which *this trade* has laboured, have already made us prudent, frugal and induſtrious, and ſuch a ſpirit in the Coloniſts muſt ſoon, very ſoon, enable them to ſubſiſt without the manufactures of Great-Britain, the trade of which, as well as its naval power, has been greatly promoted and ſtrengthened by the luxury of the colonies; conſequently any meaſures that have a tendency to injure, obſtruct and diminiſh the American trade and navigation, muſt have the ſame effect upon that of Great-Britain, and, in all probality, PROVE HER RUIN.

F I N I S.